



BOARD OF BARBERING AND COSMETOLOGY
CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS
P.O. Box 944226
SACRAMENTO, CA 94244-2260

INFORMATION: (916) 323-1101 FAX: (916) 445-8893 INTERNET: www.barbercosmo.ca.gov



**Board of Barbering and Cosmetology
Department of Consumer Affairs
400 R Street, Hearing Room
Sacramento, CA 95814**

MEETING OF THE BOARD OF BARBERING AND COSMETOLOGY

MINUTES OF JUNE 20, 2004

BOARD MEMBERS PRESENT:

Dr. Della Condon, President
Joe Gonzalez, Vice President
Richard Hedges
Frank Lloyd
Kim McInnes
Candice Pederson

STAFF MEMBERS PRESENT:

Terresa A. Ciau, Executive Officer
Cindy Walton, Deputy Executive Officer
Sharon Buono, Enforcement Manager
James Jacobs, Supervising Inspector
Marion Welch, Supervising Examiner
Pamela Rivette, Inspector
Kelly Schmidt, Staff

BOARD MEMBERS ABSENT:

Dr. Waddell Herron
Bonnie LaChappa
Angela Reddock

- **Agenda Item #1, CALL TO ORDER/ROLL CALL**

President Condon called the meeting to order at 2:00 p.m.

- **Agenda Item #2, INTRODUCTION OF NEW MEMBERS**

President Condon introduced the two newly appointed Board Members, Frank Lloyd and Candice Pederson. Members briefly described their backgrounds and professions.

- **Agenda Item #3, STRATEGIC PLANNING SESSION**

President Condon explained that strategic planning helps establish the Board's goals and objectives. She introduced the facilitator for the strategic planning session, Pamela Rivette. Ms. Rivette compared strategic planning to developing a business plan. She outlined the process for the members. The Board's roles and responsibilities have already been determined through legislation with the intent to protect the public. The Board needs to do an environmental

scan to determine the conditions that exist within the organization and outside of the organization. The discussions will then help the Board to come up with a mission and a vision.

At the end of this session a draft mission and vision statement had been developed. The strategic planning session would continue during tomorrow's Board meeting. The meeting ended at approximately 6:00 p.m.

MINUTES OF JUNE 21, 2004

BOARD MEMBERS PRESENT:

Dr. Della Condon, President
Joe Gonzalez, Vice President
Richard Hedges
Bonnie LaChappa
Frank Lloyd
Candice Pederson
Angela Reddock

STAFF MEMBERS PRESENT:

Terresa A. Ciau, Executive Officer
Albert Balingit, Staff Counsel
Pamela Rivette, Inspector
Kelly Schmidt, Staff

BOARD MEMBERS ABSENT:

Dr. Waddell Herron
Kim McInnes

- **Agenda Item #4, CALL TO ORDER/ROLL CALL**

President Condon called the meeting to order at 9:00 a.m. It was determined that there was a quorum.

- **Agenda Item #5, INTRODUCTION OF NEW MEMBERS**

The two newly appointed Board Members were introduced. All members briefly described their backgrounds and professions.

- **Agenda Item #6, PRESIDENT'S REPORT**

Dr. Condon reported that there had been an Examination and Licensing Committee meeting the week before. During the meeting it was determined that a Task Force would need to be established to look at the qualifications of the Cosmetology Instructors. There is currently legislation that will sunset the instructor's license in 2005 and there is also a proposal to extend that date until 2006. The Task Force will bring forth recommendations to the full Board for approval.

Dr. Condon and Mr. Gonzalez have visited the new exam facility on several occasions. Operations at the new exam facility seem to be going smoothly. There is still a concern about

the parking situation. The building management is charging for parking. There was speculation that the reason for charging was to cover their cost of having someone staffed in the lot to ensure parking spaces are reserved for candidates. Dr. Condon asked Mr. Balingit to review the conditions of the lease since it was her understanding that parking would be free.

Ms. Ciau also indicated that she had approved the parking fees in order to ensure that the parking area was strictly reserved for the Board's candidates.

Dr. Condon introduced the new Chief Deputy Director of the Department of Consumer Affairs, Sherry Mehl. Ms. Mehl described her background and experience.

- **Agenda Item #7, EXECUTIVE OFFICER'S REPORT**

Ms. Ciau reported on the Board's workload. The Board has been aggressively addressing their backlog. They were able to hire temporary help, which has reduced the application review process to less than three months. During the past three months the Board was able to schedule over 10,000 examinations.

Ms. Ciau reported that the Board's Fairfield Exam Facility and headquarters was in a soft lease. They will be determining if they will be staying at their current locations or possibly be working with the Department of General Services to find new sites.

Ms. Ciau reported that the Board has been working on implementing same day licensure, which should start July 6, 2004.

Ms. Ciau pointed out that in the agenda packets is a background paper on apprenticeship. During a prior Board meeting background on the apprenticeship program had been requested.

- **Agenda Item #8, APPROVAL OF BOARD MINUTES**

Copies of draft minutes had been provided to the Board members for the months of January 2004 through April 2004. It was determined that since the new Board members were not present during the prior meetings that they could not vote for approval. There was a quorum of those present during the January 26, 2004 and March 15, 2004 and a motion to approve was made with all those able to vote giving their approval.

- **Agenda Item #9, LEGISLATION AND REGULATIONS**

There were two legislative proposals that required the Board's support. The first was AB2168, which provides the extension for the Board to charge instructor renewal fees. The instructor's license was repealed as of January 1st. The committee recommended to adopt the bill and that a letter of support would be sent to Assembly member Correa.

The second legislative proposal was AB320, which is sponsored by Assembly member Correa. This bill would prohibit any Department of Consumer Affairs licensee or any entity acting on behalf of the licensee to allow a stipulation in any settlement agreement that the plaintiff must withdraw any existing complaints from the Department, or is prohibited from subsequently contacting, cooperating with or filing a complaint with the Department. The committee discussed this during their April meeting and recommended supporting this bill.

President Condon made a motion to support AB320. All members voted in favor of supporting the bill.

President Condon then recommended the Board support AB2168. All members voted in favor of supporting the bill.

- **Agenda Item #10, FUTURE BOARD MEETINGS**

Future Board meeting dates were discussed. They agreed not to have a meeting in July nor December. The final dates that were determined were August 16, 2004 in Los Angeles, September 27, 2004 in San Diego, and November 15, 2004 in San Jose. Meeting dates for 2005 will be discussed during the November meeting.

- **Agenda Item #11, DATA REQUEST TO CONDUCT A HEALTH SURVEILLANCE STUDY AMONG COMETOLOGISTS**

President Condon gave a quick review. The Department of Health Services has a cancer registry. They would like to compare our licensee's data to their data in order to determine if there are any matches. It would assist in determining if cosmetologists and other Board licensees have a higher rate of cancer or respiratory diseases. From what had been explained during a presentation previously given to Board members, certain diseases are reported by physicians to the Department of Health Services which includes their social security number and occupation. The Department of Health Services suggested way of comparing their data to the Board's data would be to link by the social security numbers.

Mr. Balingit informed the Board that according to section 30 of the Business and Professions Code there are only three reasons the Board can disclose social security numbers and this subject did not fall within those perimeters.

President Condon opened the subject up for public comment.

Ms. Gagnier from Skyline Cosmetology College expressed concern over the possibility that this study could be used to justify other studies and eventually affect insurance costs. In addition she had concerns about the possibility of her medical information being released.

Ms. Quach, who was representing the Department of Health Services, explained that this would be a blind study and no medical records would be released. Their database already exists. They would like to determine if any of our licensees match to information on their registry.

Mr. Hedges made a motion to support the study on the condition that the Board does not need to disclose any social security numbers. The data would have to be linked by other personal data. The Board members agreed to support the idea of the study.

- **Agenda Item # 12, STRATEGIC PLANNING**

President Condon explained that this session would be a continuation from yesterday's discussion. The members agreed on their draft mission and vision statements and outlined goals for the Board.

- **Agenda Item #13, COMPUTER BASED TESTING VENDORS-LIST OF POTENTIAL VENDORS**

Ms. Ciau explained that the chart that was provided showed a comparison of other vendors in comparison to the current provider, Experior.

The Board members suggested that the vendors be invited to the next Board meeting to give presentations.

- **Agenda Item #14, PUBLIC COMMENTS**

Mr. Jones of the Professional Beauty Federation of California brought attention to the fact that AB2449 went into effect January 1, 2003, and has not been implemented by the Board. The bill requires licensees to disclose on their renewal forms whether they are full-time practice, part-time practice, not working, retired, etc. It also requires them to disclose if they are an employee, independent contractor/booth renter, and if they are an establishment owner. Part of the reason for the bill has to do with tax evasion. The Board will need to report back to the Business and Professions Committees and the state legislature within five years of implementing.

Ms. Ciau responded that the Board was currently having the questions printed on the renewal forms and data will be collected shortly.

Mr. Azzaro indicated that he had two issues. His first issue of concern had to do with the fact that many in the industry are not aware of what is going on with the Board. He suggested the Board start sending out a newsletter to all beauty professionals and salons in California that would include information on all pending regulations and any other pending issues that affect beauty professionals.

Mr. Azzaro's other issue was in relation to the length of his wait for a Disciplinary Review Committee hearing date. He has been waiting approximately two years for a hearing date and urged the Board to schedule him.

Ms. Gagnier commented on the computer based testing vendors. She advised that the Board should make sure the vendor chosen is sophisticated enough to handle the volume of exams that need to be administered.

Dr. Montez (also known as Dr. Ferrel) stated the Board's contract with Experior expires November 30, 2004. They are pursuing a second extension that would start December 1, 2004 through November 30, 2005.

- **Agenda Item # 15, AGENDA ITEMS FOR THE NEXT MEETING**

President Condon stated that the agenda items that have already been identified are updates on proposed legislation, presentations on computer-based testing, licensing and exam reports from the committee and the task force, follow up on the parking at the Glendale exam facility, and the status of the leases at headquarters and Fairfield Exam site.

Mr. Hedges suggested that the next agenda should include the feasibility of a quarterly newsletter.

Ms. Reddock suggested that they invite a representative from the IRS to speak at the next meeting in Los Angeles.

- **Agenda Item # 16, PETITIONS FOR REINSTATEMENTS**

There were no petitions for reinstatements to be heard.

CLOSED SESSION

- **Agenda Item #17, DECISIONS ON REINSTATEMENTS AND DISCIPLINARY CASES [Closed pursuant to Government Code Section 11126]**

OPEN SESSION

- **Agenda Item #18, ADJOURNMENT**

The meeting was adjourned at 5:10 p.m.